

## **COMBINED DECLARATION AND POWER OF ATTORNEY**

As the below named inventors, we hereby declare: that our residences, post office addresses and citizenships are as stated near our names below; that we are joint inventors and we believe we are the original and first inventors of the subject matter of which is claimed and for which a patent is sought on the invention entitled

### **ELECTRO-OPTICAL MECHANICAL INSTRUMENT**

which is described and claimed in the specification of which was filed on July 23, 1998 as United States Provisional Application Serial No. 60/093,882; attorney docket number 60,132-062 and that this application was filed on November 2, 2000 as International Application (PCT) No. PCT/US99/16412.

We have reviewed and understand the contents of this specification, including the claims, as amended by any amendment referred to above; that we do not know and do not believe the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication, in any country before our invention thereof for more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve (12) months prior to this application; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a); and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns except as follows:

### **PRIORITY CLAIM**

We hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.58 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

APPLICATION NUMBER	DATE OF FILING (month, day, year)	STATUS
PCT/US99/16412	November 2, 2000	Pending

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of the foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate filed on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
USA	60/093,882	July 23, 1998	Yes <input checked="" type="checkbox"/> No _____

*LL*  
We hereby appoint Raymond E. Scott, Registration No. 22,981; Randall L. Shoemaker, Registration No. 43,118; Samuel J. Hidle, Registration No. 42,619; William H. Honaker, Registration No. 31,623; Harold W. Milton, Jr., Registration No. 22,180; Jeffrey A. Sadowski, Registration No. 29,005; Kevin MacKenzie, Registration No. 45,639; David M. LaPrairie, Registration No. 46,295; Bharat C. Gandhi, Registration No. 35,146; Steven C. Wichmann, Registration No. 37,758; and James R. Yee, Registration No. 34,460 as our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. Please address all correspondence and telephone calls to:

RAYMOND E. SCOTT  
HOWARD & HOWARD ATTORNEYS, P.C.  
The Pinehurst Office Center  
39400 Woodward Avenue, Suite 101  
Bloomfield Hills, MI 48304-5151  
(248) 645-1483

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
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### **PRIORITY CLAIM**

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2025 RELEASE UNDER E.O. 14176

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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